

**Notice of Allowability**

Application No.

10/735,325

Examiner

Thomas M. Sember

Applicant(s)

SCHNEIDER, TODD T.

Art Unit

2875

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the application filed on 12/12/03.
2. ☒ The allowed claim(s) is/are 1-20.
3. ☒ The drawings filed on 12 December 2003 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All    b) ☐ Some\*    c) ☐ None    of the:
  1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
  6. ☐ CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
    - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
      - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
    - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO-1449 or PTO/SB/08),  
Paper No./Mail Date 12/12/03
4. ☐ Examiner's Comment Regarding Requirement for Deposit  
of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413),  
Paper No./Mail Date \_\_\_\_\_.
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_.

Thomas M Sember  
Primary Examiner  
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### **Examiner's Amendment**

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Dale Ream on 06/23/05. The examiner contacted Mr. Ream to discuss a indefiniteness issues in claim 11. Mr. Ream agreed to the changes as set forth below.

The application has been amended as follows:

1.) In claim 11, lines 6-7 "said first magnetic layer" has been changed to --said first metallic layer--.

2.) In claim 11, lines 15-16 "said negative layer" has been changed to --said second metallic layer--.

The following is an examiner's statement of reasons for allowance: None of the prior art of record alone or in combination teaches or fairly suggest applicant's claimed invention for the following reasons:

The prior art most similar to applicant's invention are taught by Kinstler. Kinstler discloses "a lighted sign for application to a surface of a vehicle, the sign includes a magnetic strip on a back surface thereof. However, Kinstler fails to teach "a first metallic layer, a second metallic layer; ....a magnetic plate being sandwiched between

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said first and second metallic layers for pressing said second metallic layer against the vehicle surface when said magnetic plate is magnetically adhered thereto; and a light source coupled to said magnetic plate and having a positive wire electrically connected to said first metallic layer and a negative wire electrically connected to said second metallic layer, said positive wire being electrically connected to a vehicle electric power source." as taught by independent claim 1.

Dependent claims 2-9 are also allowable as depending on allowable claim 1.

Nor does Kinstler teach " a magnetic plate defining a magnetic plate cutout; a first metallic layer connected to a front surface of said magnetic plate and defining a first layer cutout corresponding to said magnetic plate cutout, said first metallic layer being electrically connected a vehicle electrical power source; a second metallic layer connected to a rear surface of said magnetic plate, said second metallic layer having a circumference smaller than a circumference of said magnetic plate such that said second metallic layer is sandwiched between said magnetic plate and the vehicle surface when said magnetic layer is magnetically attached to the vehicle surface; and a plurality of LED'S coupled to said magnetic plate, each LED having a positive and negative wire, each positive wire being electrically connected to said first metallic layer and each negative wire being electrically connected to said second metallic layer such that said plmality of LED'S are illuminated and grounded when said positive layer is energized and said maretic plate is magnetically attached to the vehicle surface" as claimed in claim 11.

Dependent claims 12-20 are also allowable as depending on allowable claim 1.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

### ***Conclusion***

2. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Longo et al, Hudgins, Hill, Nerlino et al, Gohl et al, Michele Longo et al and Abe discloses displays which are similar to applicant's invention.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thomas M. Sember whose telephone number is 571-272-2381. The examiner can normally be reached on M-F 8 A.M- 5.30 p.m. first Fridays off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Sandra O'Shea can be reached on 571-272-2378. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Thomas M Sember  
Primary Examiner  
Art Unit 2875

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